



CARTERSVILLE PLANNING COMMISSION MEETING

Council Chambers, Third Floor of City Hall
Tuesday, December 07, 2021 at 5:30 PM

AGENDA

COMMISSIONERS:

Lamar Pendley – Chairman
Greg Culverhouse
Harrison Dean
Jeffery Ross
Travis Popham
Steven Smith

CITY CLERK:

Julia Drake

PLANNING DIRECTOR:

Randy Mannino

CITY PLANNER:

David Hardegree

ASSISTANT CITY ATTORNEY:

Keith Lovell

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

1. Nov. 9th Meeting Minutes

DE-ANNEXATION

2. AZ21-07. 77 Lipscomb Cir. Applicant: Vine Street Investors LLC

STAFF OR COMMITTEE COMMENTS

OTHER

*** City Council 1st Reading: December 16th, 7:00PM. Council Chambers. 3rd fl City Hall.**

**** City Council 2nd Reading (Final Action): January 6th, 2022. 7:00PM. Council Chambers. 3rd fl City Hall.**

The next meeting of the Planning Commission will be January 11, 2022.

ADJOURNMENT

Persons with disabilities needing assistance to participate in any of these proceedings should contact the human resources office, ADA coordinator, 48 hours in advance of the meeting at 770-387-5616.

**P.O Box 1390 – 10 N. Public Square – Cartersville, Georgia 30120
Telephone: 770-387-5616 – Fax 770-386-5841 – www.cityofcartersville.org**



PLANNING COMMISSION ITEM SUMMARY

MEETING DATE:	December 7 th , 2021
SUBCATEGORY:	Minutes
DEPARTMENT NAME:	Planning and Development
AGENDA ITEM TITLE:	Nov. 9 th Meeting Minutes
DEPARTMENT SUMMARY RECOMMENDATION:	Recommended for Approval
LEGAL:	N/A

MINUTES OF THE CARTERSVILLE PLANNING COMMISSION

The Cartersville Planning Commission met in a regularly scheduled meeting on Tuesday, November 9, 2021 at 5:30 p.m. in the City Hall Council Chambers.

Present: Lamar Pendley, Jeffery Ross, Greg Culverhouse, Steven Smith, Travis Popham
Absent: Harrison Dean
Staff Members: Randy Mannino, Julia Drake, David Hardegree

CALL TO ORDER: 5:30 PM

ROLL CALL

Board Member Pendley stated to the audience that the Planning Commission is a recommending body only and that for all cases heard, recommendations would be forwarded to City Council for consideration.

APPROVAL OF MINUTES

1. September 17, 2021 Meeting Minutes

Board Member Pendley called for a motion on the September 17, 2021 meeting minutes.

Board Member Culverhouse made a motion to approve the amended minutes as proposed. Board Member Ross seconded the motion. Motion carried unanimously. Vote: 4-0

OLD BUSINESS

2. T21-03: Use of Animal Hospital/Kennel in M-U District & SU21-06: 314 E. Main St.

David Hardegree, City Planner, gave an update on T21-03 and SU21-06 stating that these two cases were related and that it was approved by Planning Commission and was denied by Council.

3. SU21-07

Mr. Hardegree gave an update on SU21-05 stating that it was recommended by Planning Commission and was approved by Council.

PRELIMINARY PLAT

4. Preliminary Plat Review / Approval for Felton Walk

Mr. Hardegree gave an overview of the preliminary plat for Felton Walk located at 1136 N. Tennessee Street stating Smith Douglas Homes would be the builder of this 45 townhome lot community. Furthermore he stated this was located on a private street but would be open for

public use. The zoning conditions that were approved in 2019 were reflected on the preliminary plat. It was requested for the Board to approve the Chairman to sign the preliminary plat. Board Member Culverhouse made a motion to approve the signing of the preliminary plat. Board Member Smith seconded the motion. Motion carried unanimously. Vote: 4-0

A motion was made to adjourn the meeting at 5:37 P.M. by Board Member Culverhouse and seconded by Board Member Smith. Motion carried unanimously. Vote: 4-0

Date Approved: December 7, 2021

/s/ _____
Lamar Pendley, Chairman



PLANNING COMMISSION ITEM SUMMARY

MEETING DATE:	December 7 th , 2021
SUBCATEGORY:	De-Annexation
DEPARTMENT NAME:	Planning and Development
AGENDA ITEM TITLE:	AZ21-07. 77 Lipscomb Cir. Applicant: Vine Street Investors LLC
DEPARTMENT SUMMARY RECOMMENDATION:	Applicant requests that property be de-annexed for a townhome project in County. The property is 1.6 +/- acres. Staff does not oppose the de-annexation.
LEGAL:	N/A

ZONING & DE-ANNEXATION SYNOPSIS

Petition Number(s): AZ21-07

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Property Address: 77 Lipscomb Circle (C053-0001-003)
Applicant: Vine Street Investors, LLC.
Representative: Karl Lutjens
Total Acreage: 1.6 acres

LAND USE INFORMATION

Current Zoning: G-C (General Commercial)
Proposed Zoning: County R-3
Proposed Use: County Single Family Residential

Current Zoning of Adjacent Property:

North: County R-3 (Residential);
South: County C-1; Cartersville G-C
East: Cartersville R-20
West: County R-3

Tract:

District: 4th **Section:** 3rd
Land Lots: 53
Ward: 6 **Council Member:** Taff Wren

The Future Development Plan designates the subject properties as: Parkway Corridor

The Future Land Use Map designates adjacent or nearby city properties as:
Commercial

ANALYSIS

City Departments Reviews

Electric: *No comments received*

Fibercom: *Takes no exception*

Fire: *Takes no exception*

Gas: *Takes no exception*

Public Works: *No comments received*

Water and Sewer: *This property is located in the City of Cartersville Water Department's water service area. The requested de-annexation will result in "Outside of City Limits" water service rates for the present and future water customers on this site.*

This property is currently served sewer by the Bartow County Water Department. The proposed future townhouse development will receive sewer service by the City of Cartersville Water Department and will be billed at "Outside of City Limits" sewer service rates.

Cartersville School District: *Not applicable.*

Bartow County Administrator: *No Objections.*

Public comments:

None received as of 11-29-21.

REQUEST SUMMARY:

The applicant is requesting that their property be de-annexed into Bartow County so that it may be zoned to match the adjoining parcels that are zoned R-3(Bartow County), as part of a large townhome development project. The property is 1.6 acres.

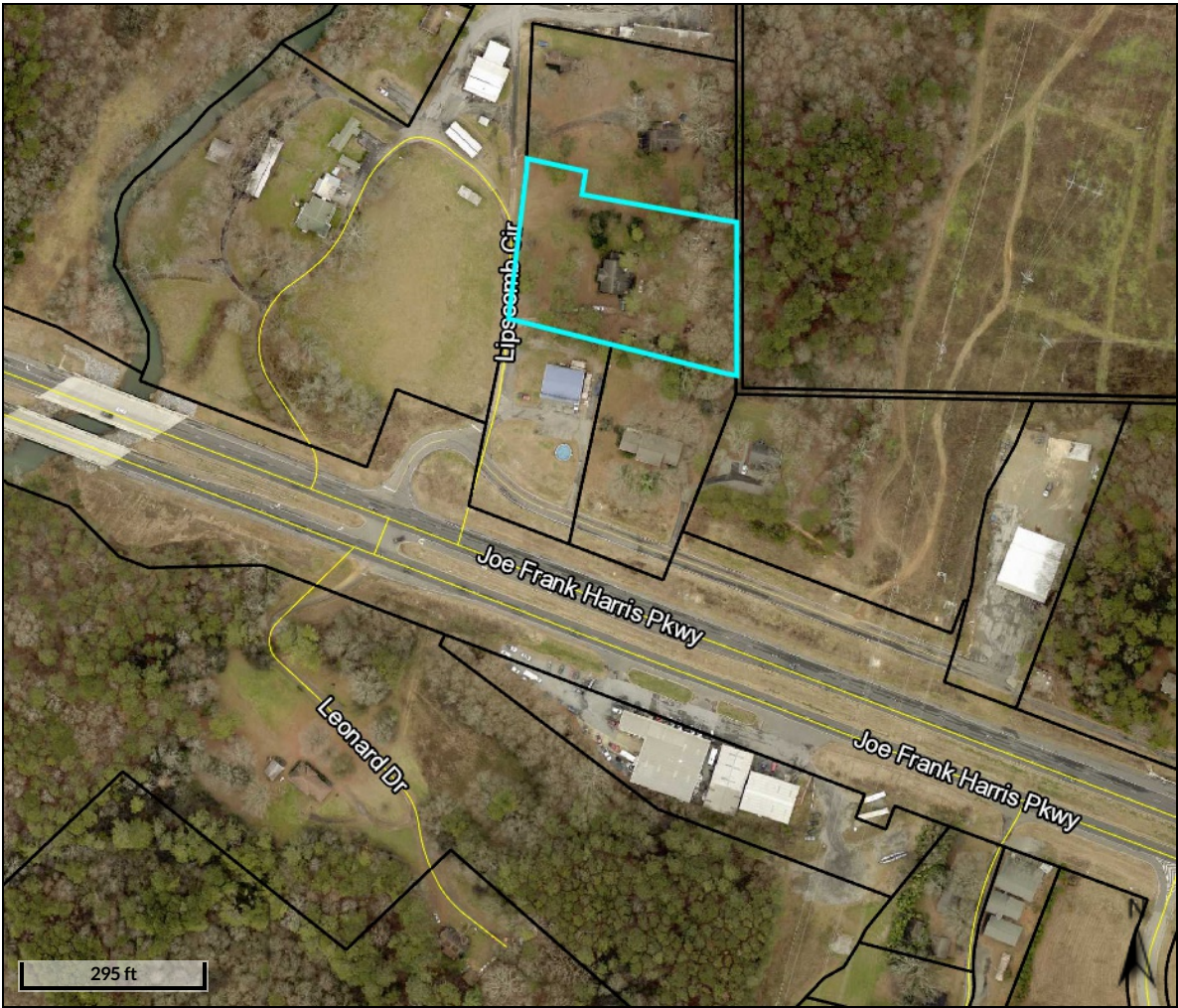
STANDARDS FOR EXERCISE OF ZONING POWERS.

- A. *Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.*
The request is not expected to change the residential use of the property.
- B. *Whether the zoning proposal will create an isolated district unrelated to adjacent and nearby districts.*
The proposed application will not create an isolated district.
- C. *Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.*
The proposed county zoning should not adversely affect the existing use of the properties.
- D. *Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.*
The properties have a limited, but still reasonable economic use as zoned.
- E. *Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.*
No change in use or burden to the infrastructure is expected.
- F. *Whether the zoning proposal is in conformity with the adopted local Comprehensive Land Use Plan.*
The de-annexation and county zoning should conform to the land use plan for the area.
- G. *Whether the zoning proposal will result in a use which will or could adversely affect the environment, including but not limited to drainage, wetlands, groundwater recharge areas, endangered wildlife habitats, soil erosion and sedimentation, floodplain, air quality, and water quality and quantity.*
The zoning proposal should not have an adverse environmental effect.
- H. *Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.*
No additional conditions are known.

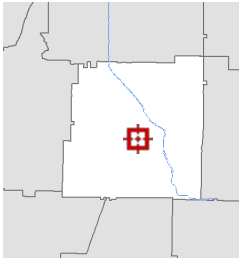
RECOMMENDATION

Staff has no objection to the de-annexation request.

PLANNING COMMISSION RECOMMENDATION:



Overview



Legend

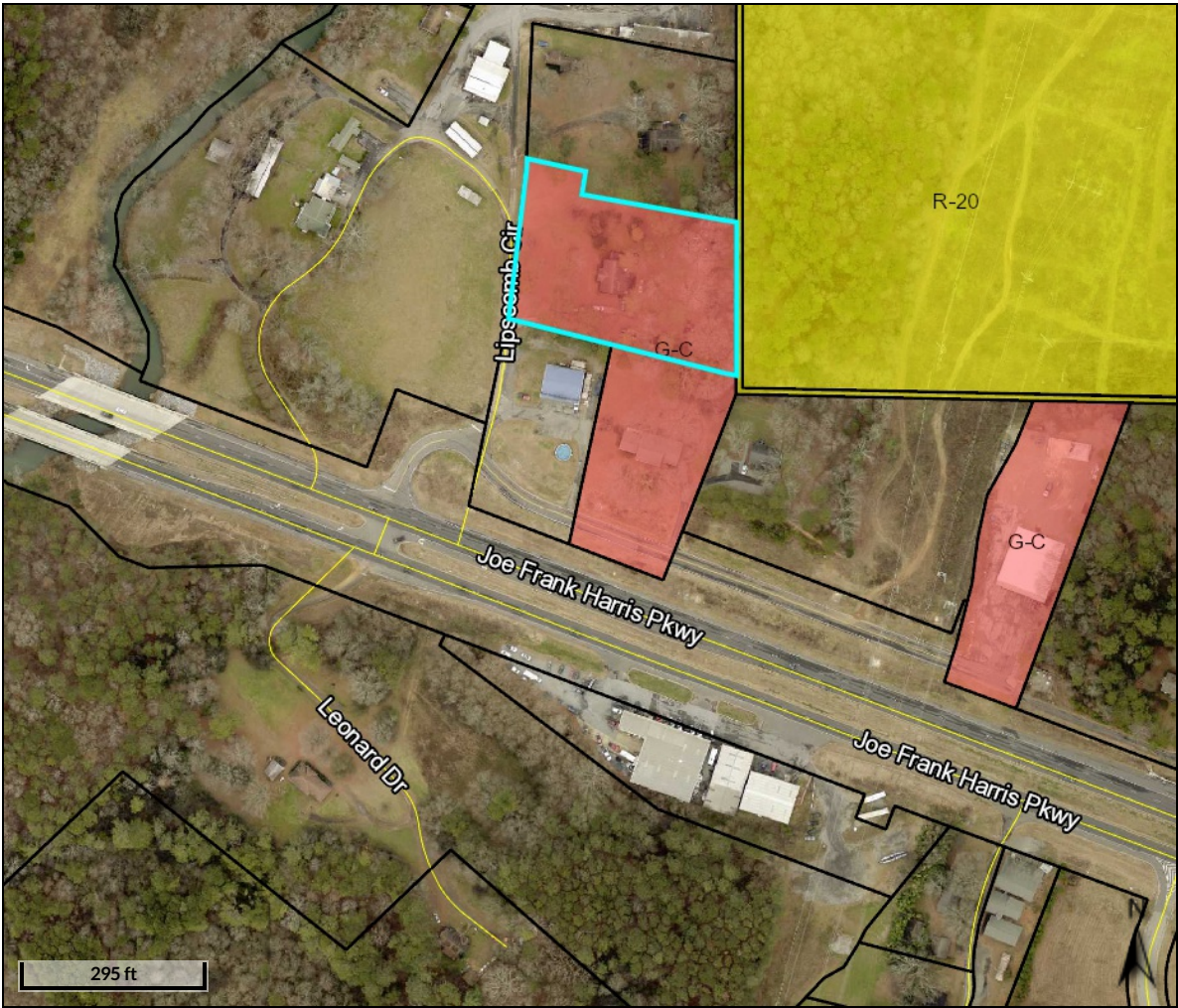
- Parcels
- Roads

Parcel ID	C053-0001-003	Alternate ID	36477	Owner Address	DEAN PHIL C & LUCAELLYN H 543 FIELDWOOD DR NW ADAIRSVILLE, GA 30103
Sec/Twp/Rng	n/a	Class	Residential		
Property Address	77 LIPSCOMB CR	Acreage	1.6		
District	Cartersville				
Brief Tax Description	LL 53 D 4				

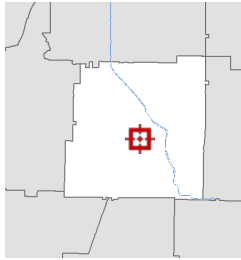
(Note: Not to be used on legal documents)

Date created: 11/17/2021
 Last Data Uploaded: 11/16/2021 10:18:48 PM

Developed by Schneider
 GEOSPATIAL



Overview



Legend

- Parcels
- Roads

Cartersville Zoning

- AG
- DBD
- G-C
- G-C*
- H-I
- H-I*
- L-I
- L-I*
- M-U
- M-U*
- MF-14
- MF-14*
- MN
- O-C
- O-C*
- P-D
- P-D*
- P-I
- P-S
- P-S*
- R-10
- R-10*
- R-15
- R-15*
- R-20
- R-20*
- R-7
- R-7*
- R-D
- RA-12
- RA-12*
- RSL

Parcel ID C053-0001-003
 Sec/Twp/Rng n/a

Alternate ID 36477
 Class Residential

Owner Address DEAN PHIL C &
 LUCAELLYN H

Property Address 77 LIPSCOMB CR

Acreage 1.6

543 FIELDWOOD DR NW
ADAIRSVILLE, GA 30103

Item 2.

District Cartersville

Brief Tax Description LL 53 D 4

(Note: Not to be used on legal documents)

Date created: 11/17/2021

Last Data Uploaded: 11/16/2021 10:18:48 PM

Developed by  Schneider
GEOSPATIAL

receipt attached. \$400 - Fee
\$ 50
\$ 450

Item 2.

Application for Annexation/ Zoning
City of Cartersville

Case Number: AZ21-07
Date Received: 10/21/21
DE-Annexation

Public Hearing Dates:

Planning Commission DEC 7th 5:30pm 1st City Council DEC 16th 7:00pm 2nd City Council JAN. 6th, 2022 7:00pm

Applicant Vine Street Investors, LLC Office Phone _____
(printed name)
Address 910 Carter Drive NE Mobile/ Other Phone 404.556.3855
City Atlanta State GA Zip 30319 Email sdenbow@pinegrove.com
Karl Lutjens Phone (Rep) 770.387.0440
Representative's printed name (if other than applicant) Email (Rep) Karl@southlandengineers.com
[Signature] Notary Signature
Signed, sealed and delivered in presence of [Signature] My commission expires: 01-23-2025
Notary Public

* Titleholder Phil Dean Phone 770-547-5979
(titleholder's printed name)
Address 543 Fieldwood Dr. NW Adairsville Email deanphil@gmail.com
Signature [Signature] My commission expires: 01-23-2025
Signed, sealed, delivered in presence of: [Signature]
Notary Public

Present Zoning District G-C Requested Zoning R-3
Acreage 1.4 Land Lot(s) 53 District(s) 4 Section(s) 3
Location of Property: 77 Lipscomb Circle
(street address, nearest intersections, etc.)
Reason for Rezoning Request: To deannex parcel 053-001-003 so that it may be zoned to match all remaining parcels that are zoned R-3 as of October 7, 2021
(attach additional statement as necessary) AR2-2471-21 with

* Attach additional notarized signatures as needed on separate application pages. Bartow county.

Zoning Analysis for Annexation/ Zoning

Specifics of Proposed Use

Case Number: AZ21-07

Tax Map Parcel(s) #	<u>C0530001-003</u>	Voting Ward(s)	<u>6</u>
Current Land Use	<u>Cities / Incorporated</u>	Current Zoning	<u>G-C</u>
Proposed Land Use	<u>Med / High Density Res.</u>	Proposed Zoning	<u>R-3</u>
Number of Dwelling Units	<u>1</u>	Number of Occupants	_____
Owner Occupied?	Yes _____ No <input checked="" type="checkbox"/>		
Number of School-aged Children	<u>0</u>	Grade Level(s) of School-aged Children	<u>0</u>
School(s) to be attended:	<u>CARTERSVILLE CITY SCHOOLS</u>	County schools will be attended following de-annexation.	
<u>Current Utility Service Providers (Check Service provider or list if Other)</u>			
Water:	<input checked="" type="checkbox"/> City	_____ County	_____ Well/ Other
Sewer:	<input checked="" type="checkbox"/> City	_____ County	_____ Septic/ Other
Natural Gas:	_____ City	_____ Other (List) _____	
Electricity:	_____ City	<input checked="" type="checkbox"/> GA Power	_____ Greystone
		_____ Other (List) _____	

**CAMPAIGN DISCLOSURE REPORT
FOR REZONING ACTIONS**

Pursuant to O.C.G.A. 36-67A-3 any and all applicants to a rezoning action must make the following disclosures:

Date of Application: 10-21-2021

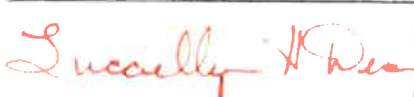
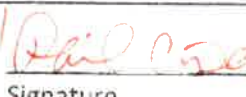

Date Two Years Prior to Application: 10-21-2019

Date Five Years Prior to Application: 10-21-2016

1. Has the applicant within the five (5) years preceding the filing of the rezoning action made campaign contributions aggregating \$250.00 or more to any of the following:

	YES	NO
Mayor: Matt Santini	_____	✓
Council Member:		
Ward 1- Kari Hodge	_____	✓
Ward 2- Jayce Stepp	_____	✓
Ward 3- Cary Roth	_____	✓
Ward 4- Calvin Cooley	_____	✓
Ward 5- Gary Fox	_____	✓
Ward 6- Taff Wren	_____	✓
Planning Commission		
Greg Culverhouse	_____	✓
Harrison Dean	_____	✓
Lamar Pendley	_____	✓
Lamar Pinson	_____	✓
Travis Popham	_____	✓
Jeffery Ross	_____	✓
Stephen Smith	_____	✓

2. If the answer to any of the above is **Yes**, please indicate below to whom, the dollar amount, date, and description of each campaign contribution, during the past five (5) years.

_____ 10/20/2021
 Signature Date

Luczellyn H. Dean PAUL C. DEAN
 Print Name

Scott Denbow 10/21/21

SURVEYOR'S CERTIFICATE

That the undersigned, a Georgia Registered Land Surveyor, on behalf of the above Annexation/ zoning applicant do certify the following:

- 1) That the attached survey contains no fewer than four surveyed map regulation points and recorded with the Georgia Coordinate System of 1985.
- 2) That the attached survey shows the boundaries of the area being annexed and the existing boundaries of the area being annexed and the existing boundaries of the annexing municipality between the points at which these boundaries close, if applicable.
- 3) That the attached survey meets the requirements of O.C.G.A. 15-6-67 and Section 180-7-01 Technical Standards for Property Survey, Rules and Regulations of the State of Georgia.
- 4) That the map demarcation of the map registration points are well distributed along, within, or near the boundary of the annexed area.
- 5) That at least one-eighth of the aggregate external boundary or fifty (50) feet of the area to be annexed, whichever is less, either abuts directly on the municipal boundary or would directly abut on the municipal boundary if it were not otherwise separated from the municipal boundary by other lands owned by the municipal corporation, by lands owned by this State, or by the definite width of any street or street right of way; any creek or river; any right of way of a railroad or other public service corporation, which divides the municipal boundary from any area proposed to be annexed.

10/13/21
Date



ZONING ADMINISTRATOR:

1. Case Number: AZ21-07

2. Yes No
*The parcel, identified as Tax ID No. C053-001-002, does meet the overlapping boundary requirement to remain a legal lot as identified on the Middleton plat dated 9-22-81.

The above property complies with the City of Cartersville minimum size requirements to construct a building or structure occupiable by persons or property under the policies, ordinance, or regulations of the City of Cartersville.

3. Survey attached?
* The remaining parcel, Tax ID C053-0001-002, does meet the overlapping boundary requirement for annexation as identified on the Middleton plat dated 9-22-81.

11-8-21
Date

David Hanley
Zoning Administrator

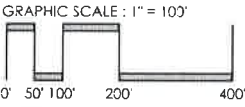
LIST OF ADJACENT PROPERTY OWNERS
(Not required if City mails public notices)

The following are all of the individuals, firms, or corporations owning property on the sides, rear, and in front of (across street from) the property sought to be rezoned:

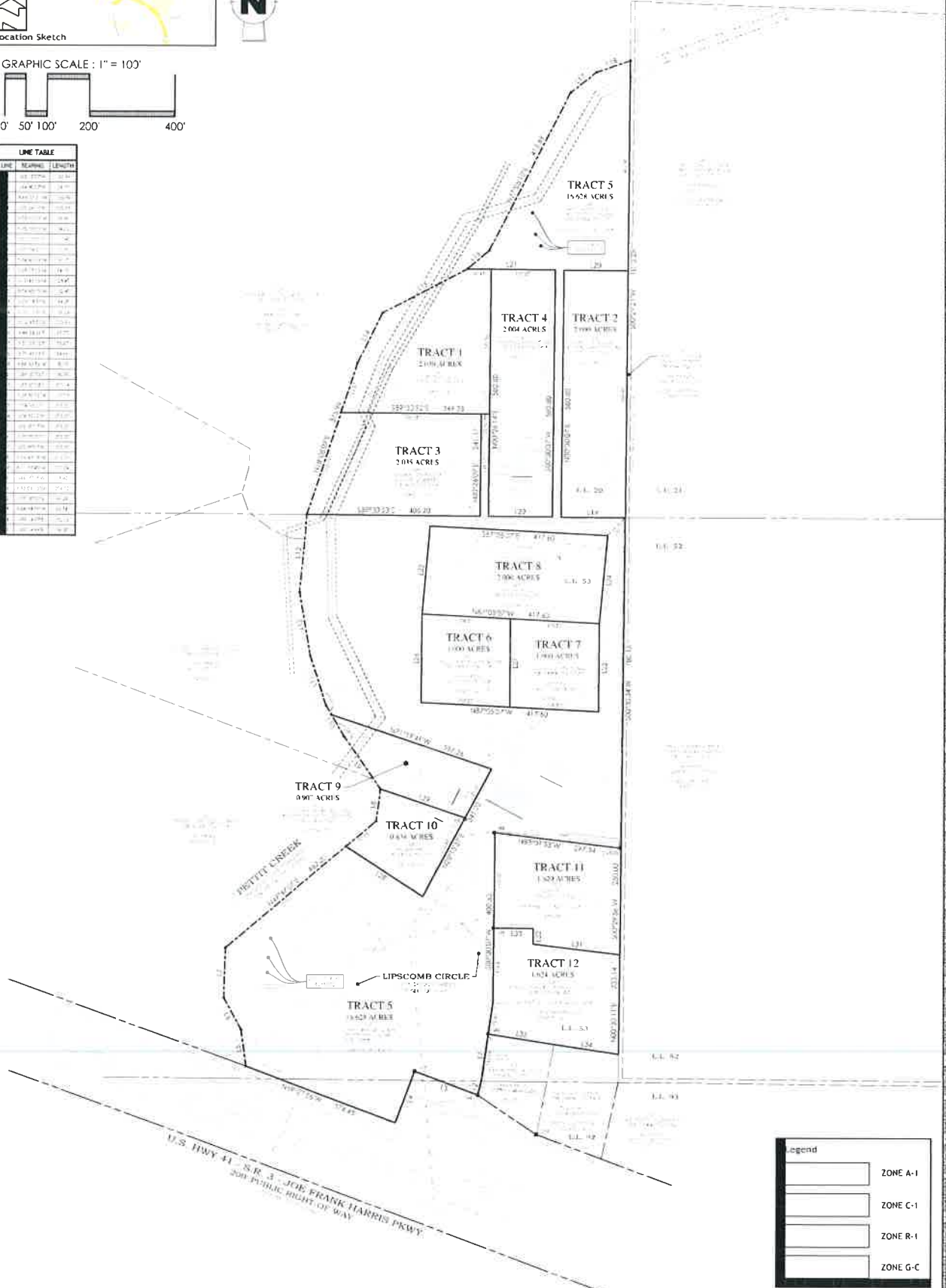
	<u>NAME</u>	<u>ADDRESS</u>
1.	Paul Alan Bishop	374 Peoples Valley Rd, Cartersville, GA 30128
2.	BZTECK, LLC.	PO BOX 200427, Cartersville, GA 30120
3.	Larry Wayne Gunn	83 Lipscomb Circle, Cartersville, GA 30128
4.	Scott McDaniel	1208 JFN Parkway, Cartersville, GA 30120
5.	Pamela Potter	538 Spring Place Rd-NE, White, GA 30184
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		

Attach additional names if necessary.

(Indicate property owned by the above persons on plat accompanying this application.)



LINE	BEARING	LENGTH
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Legend	
[Symbol]	ZONE A-1
[Symbol]	ZONE C-1
[Symbol]	ZONE R-1
[Symbol]	ZONE G-C

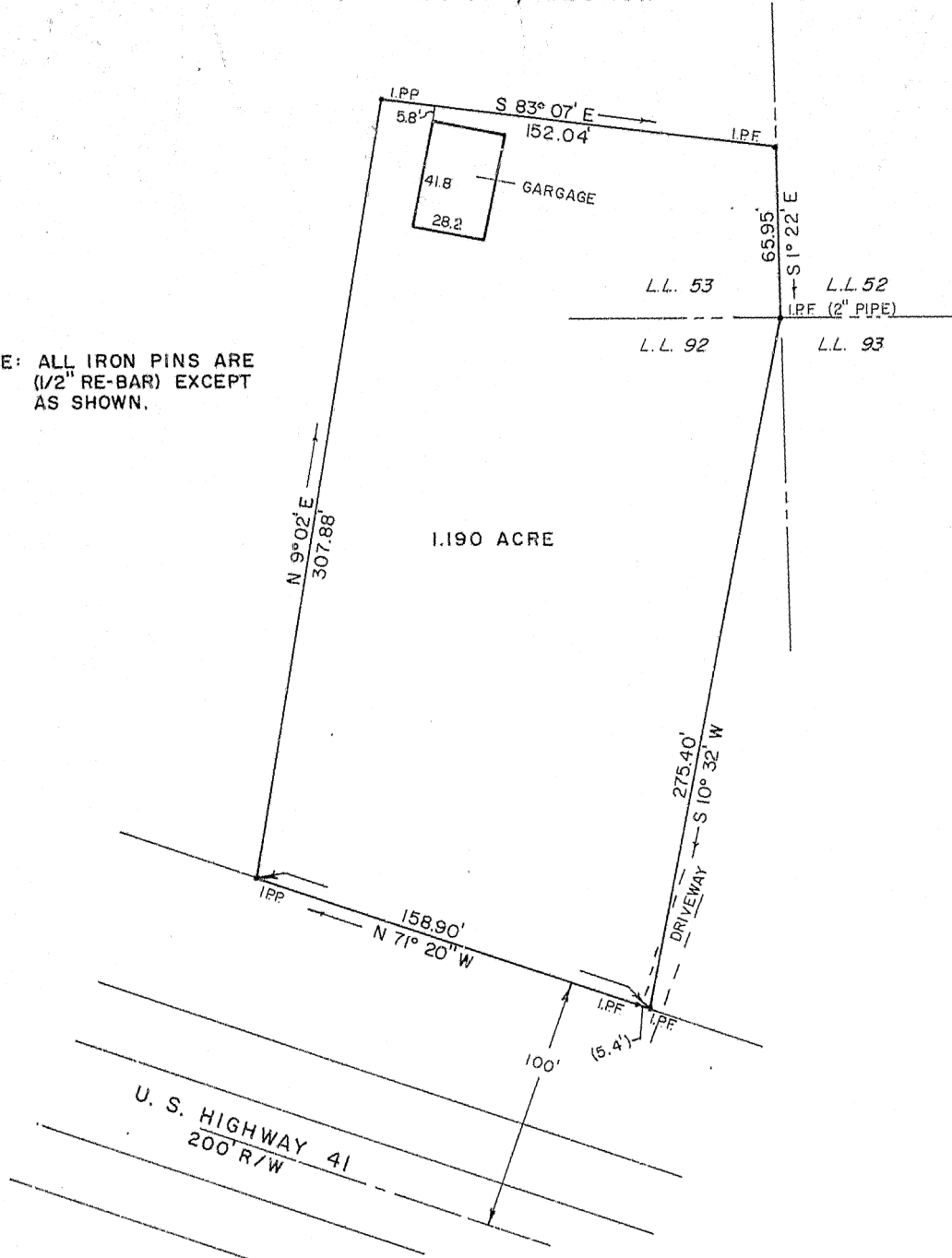
SOUTHLAND
ENGINEERING
CIVIL ENGINEERS - LAND SURVEYORS - LAND PLANNERS
114 AND HILL ROAD - WINTERPHELL, GA 30180
PH: 770.357.0449 FAX: 770.407.3151

ZONING EXHIBIT FOR:
VINE STREET INVESTORS, LLC.
a Delaware limited liability company
Land Lots 20 and 53 of the 4th District, 3rd Section, Bartow County, Georgia

• 20' WIDE ROAD	• 12" DRAIN PIPE	• 6" GAS PIPE	• 12" POWER POLE
• 12" DRAIN PIPE	• 6" GAS PIPE	• 12" POWER POLE	• 12" POWER POLE
• 6" GAS PIPE	• 12" POWER POLE	• 12" POWER POLE	• 12" POWER POLE
• 12" POWER POLE	• 12" POWER POLE	• 12" POWER POLE	• 12" POWER POLE
• 12" POWER POLE	• 12" POWER POLE	• 12" POWER POLE	• 12" POWER POLE

SURVEY FOR
ALLAN MIDDLETON & JAN MIDDLETON
PROPERTY IN LAND LOTS 53 & 92
4TH DISTRICT, 3RD SECTION
BARTOW COUNTY, GEORGIA

NOTE: ALL IRON PINS ARE
(1/2" RE-BAR) EXCEPT
AS SHOWN.



1.190 ACRE

FIELD TRAVERSE:
CLOSURE; ONE FOOT IN 5,000 FEET
USING A 100' STEEL TAPE;
ANGULAR ERROR; 0° 00' 10" PER ANGLE
POINT USING A 20' TRANSIT.
ADJUSTED; USING THE COMPASS RULE.
SMITH & SMITH LAND SURVEYORS, P. C.
CARTERSVILLE, GEORGIA

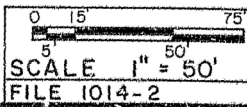
"FIA FLOOD HAZARD MAP" 0004 A
DATED MAY 26, 1978 SHOW THIS
PROPERTY IS OUT OF FLOOD ZONE.



PLAT:
CLOSURE; ONE FOOT
IN 32,000 FEET.
SEPTEMBER 22, 1981

A. Lee Smith
REGISTERED LAND SURVEYOR No. 1309

R/W — RIGHT OF WAY	— — — — — LAND LOT LINE
I.P.P. — IRON PIN PLACED	— — — — — CENTER LINE
I.P.F. — IRON PIN FOUND	- X - X - FENCE
C.M. — CONCRETE MARKER	



MAG. NORTH



October 7, 2021

Vine Street Investors LLC
916 Carter Dr NW
Atlanta, GA 30319

RE: Rezoning approved – Lipscomb Circle & US 41 – A-1, C-1, R-1 to R-3 and C-1
Multiple parcels, Application ARZ-2471-21
Bartow County GA

Dear Sir or Madam,

This letter confirms that, on July 21, 2021, Bartow County Commissioner Taylor approved the requested land use change and rezoning application.

The zoning changes were the following:

- Land Use change from Commercial to Commercial and Medium/High Density Residential
- Rezoning from A-1, C-1, and R-1 to R-3 with the following exceptions:
 - o Approximately 2.95 acres per zoning exhibit to remain C-1 adjacent to US 41
 - o Approximately 1.624 acres in the southeast portion of the development identified as Tract 12 per zoning exhibit is currently in the Cartersville city limits, proposed to be deannexed and will need to have a separate county rezoning application once deannexed.

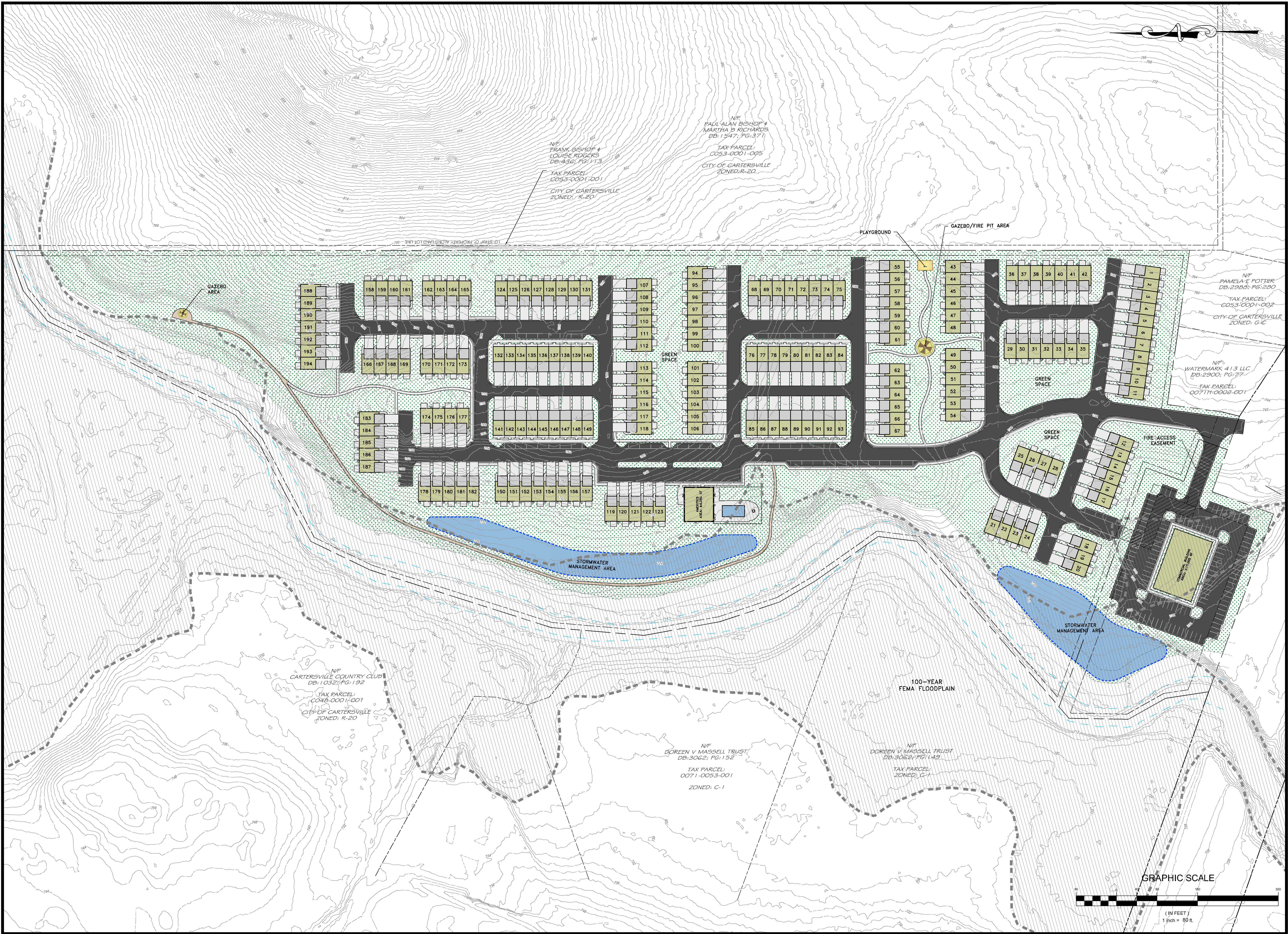
Contact me at 770-607-6312 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Osborne".

Richard Osborne AICP
Bartow County Zoning Administrator

G:\21000\21127 - LIPSCOMB CIRCLE TOWNHOMES - PINE GROVE PARTNERS\CIVIL\DESIGN\21127 - CONCEPT 1 (3).dwg 9/3/2021 1:04 PM

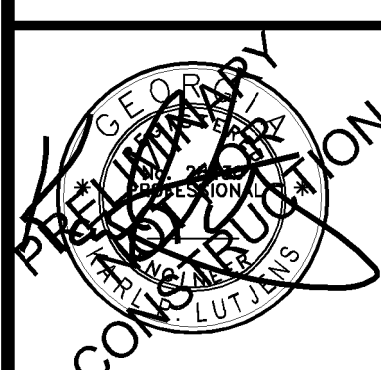


PROJECT NO. 21127
 DATE: 09/03/21

REVISIONS:	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		

SOUTHLAND ENGINEERING
 CIVIL ENGINEERS - LAND SURVEYORS - LAND PLANNERS
 114 OLD MILL ROAD, CARTERSVILLE, GA 30120 PH: 770.387.0440 FAX: 770.607.5151

PINE GROVE PARTNERS TOWNHOMES
 LOCATED IN LAND LOTS 20,53,92
 4TH DISTRICT, 3RD SECTION
 BARTOW COUNTY, GEORGIA



SHEET TITLE:
CONCEPT PLAN EXISTING GRADES

SHEET NO.:
C201

